

UNITED STATES DISTRICT COURT

for the  
District of New Mexico

United States District Court  
Albuquerque, New Mexico

Mitchell R. Elfers  
Clerk of Court

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Deoxyribonucleic Acid (DNA)  
Bradley Begay, year of birth 1985

Case No. **23mr2056**

**APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, incorporated by reference

located in the \_\_\_\_\_ District of New Mexico, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated by reference

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

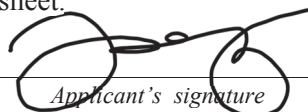
The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. 922(g)(1)	Felon in Possession of a Firearm

The application is based on these facts:

See attached Affidavit, submitted by ATF-TFo Jacob Courtney and approved by AUSA Kimberly Bell.

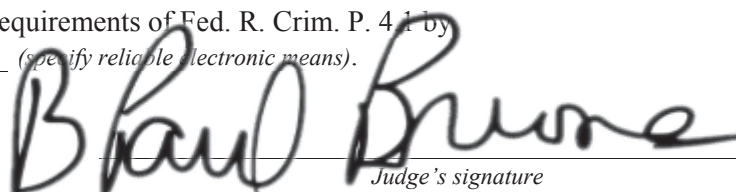
- ☒ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

  
Applicant's signature

Jacob Courtney, ATF Task Force Officer  
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 41 by  
telephonically sworn and electronically signed (specify reliable electronic means).

Date: 10/30/2023

  
Judge's signature

City and state: Farmington, New Mexico

B. Paul Briones, United States Magistrate Judge  
Printed name and title

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

IN THE MATTER OF THE SEARCH OF:  
Deoxyribonucleic Acid (DNA)  
Bradley Begay, year of birth 1985

Case No. \_\_\_\_\_

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR SEARCH WARRANT**

I, Jacob Courtney, being duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the person of Bradley Begay (BEGAY), year of birth 1985, for the purpose of obtaining deoxyribonucleic acid (DNA) by collecting oral buccal swab samples according to the standard practices and procedures employed by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for testing and comparison. Based on the facts set forth in this affidavit, there is probable cause to believe that BEGAY violated federal criminal statutes, including but not limited to violations of 18 U.S.C. § 922(g)(1) and 924, Felony in Possession of a Firearm. Because there is probable cause to believe BEGAY committed this crime, there is also probable cause to believe that BEGAY's DNA will be found on several pieces of evidence collected in this criminal investigation. Therefore, probable cause exists to collect two (2) DNA samples from BEGAY via buccal swab to compare it with samples from lawfully seized evidence in this case.

2. I am Detective Jacob Courtney, a certified and commissioned peace officer employed as a full-time commissioned law enforcement officer since June 2009. I am currently assigned to the San Juan County Sheriff's Office Detective Division. I have received training in criminal

investigation and prosecution by the San Juan County Criminal Justice Training Authority. I have conducted and participated in numerous investigations involving a range of misdemeanor and felony crimes which resulted in seizures, arrests, and prosecution of criminal offenders. I have received extensive training and experience in investigations. I have received additional training in homicide and death investigations, child death investigations, arson investigations, interviewing techniques, and others as my tenure as a Detective.

3. I am a member of the Fire and Explosion Task Force in San Juan County, which is comprised of another San Juan County Detective and multiple Fire Investigators. I have specific training in residential arsons, vehicle arsons, and explosive reconstruction training.

4. I was also a credentialed Task Force Officer with the United States Marshal's Service and was for approximately 7 years. While working with the US Marshals, I have received specific training in High-Risk Fugitive Apprehension and have arrested numerous violent felons within the County of San Juan.

5. I am also currently a credentialed Task Force Officer with ATF. During my tenure with the ATF, I have assisted with and generated cases that have led to federal indictments of violent repeat offenders within the District of New Mexico. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

6. Because this affidavit was authored for the limited purpose of establishing probable cause, it does not include each and every fact known to me from this investigation. In authoring this affidavit, I relied on the reports and statements of other law enforcement officers in order to ascertain the facts of the case and author this affidavit.

**PROBABLE CAUSE**

7. On September 11, 2023, I began an operation with Detectives employed with the San Juan County Sheriff's Office (SJCSO) to locate and arrest Bradley BEGAY. BEGAY had outstanding warrants for his arrest and was threatening harm to a San Juan County resident.

8. On September 12, 2023, SJCSO Detectives and I located BEGAY, who was driving a 2018 blue in color Hyundai Elantra, with New Mexico license plate 779XCB. After a lengthy pursuit of BEGAY in the Hyundai, which resulted in him crashing the vehicle followed by a short foot pursuit, BEGAY was taken into custody and transported to the San Juan County Adult Detention Center.

9. After BEGAY was in custody, I entered the vehicle BEGAY had been driving to turn it off and make it safe as it was leaking fluid. The vehicle had crashed into a brick wall at the intersection of Pinon and Lake Street in Farmington, New Mexico. As I entered the vehicle, I observed a handgun sitting in the driver's side door pocket. I then applied for and obtained a search warrant for the 2018 Hyundai, NM License Plate 779XCB from Eleventh Judicial District Court (San Juan County) Judge Karen L. Townsend, which was approved and signed on September 13, 2023.

10. I executed the vehicle search warrant on September 13, 2023, while at the San Juan County Sheriff's Office impound yard, where the vehicle was towed following the arrest of BEGAY. During the search, a Heritage MFG Rough Rider .22 caliber revolver with serial number C22952, was recovered from the driver's door pocket of the vehicle.

11. In researching BEGAY's criminal history, I found BEGAY to be a convicted felon. I found BEGAY had been convicted in 2008 for felony assault out of Cortez, Colorado

(D0422008CR000067). I also found BEGAY to have been convicted of another felony assault (menacing-real/simulated weapon) in 2017 out of Cortez, Colorado (D0422017CR000167).

12. The Heritage MFG Rough Rider .22 caliber revolver was tested and determined to function as designed. I determined that the revolver was not manufactured in New Mexico, therefore its presence in New Mexico was in and affecting interstate commerce.

13. Based on my training and experience, I know it is common for an individual's DNA to be transferred to items handled by that individual. Because there is probable cause to believe that a federal offense has been committed, namely Felon in Possession of a Firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924, I respectfully request that a search warrant be issued for BEGAY to collect two (2) samples of buccal cells for the purpose of obtaining his DNA for forensic analysis.

14. Based on my training and experience, I know the buccal swab samples from BEGAY can and will be obtained pursuant to approved procedures, without unnecessary discomfort to BEGAY, in private, and under circumstances where he will feel little or no pain or embarrassment.

15. BEGAY can be described as 5 feet, 11 inches in height, weighing approximately 165 pounds with brown eyes and black hair. He was born in 1985. He is currently in the custody of the San Juan County Adult Detention Center.

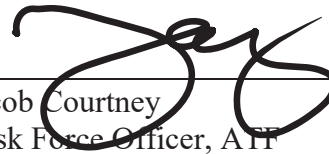
### **CONCLUSION**

16. Based on the facts outlined above, I submit there is probable cause to believe Bradley BEGAY committed violations of 18 U.S.C. 922(g)(1) and 924, and that the DNA samples sought in this warrant will provide evidence of those violations. Therefore, I am seeking authorization under Rule 41 of the Federal Rules of Criminal Procedure to collect two (2) buccal samples from

BEGAY, via buccal swabs, to compare with any DNA that is found on the evidence seized in this matter.

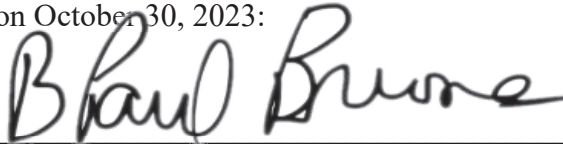
17. Assistant United States Attorney Kimberly Bell reviewed and approved the application and affidavit.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jacob Courtney", written over a horizontal line.

Jacob Courtney  
Task Force Officer, ATF

Electronically signed and telephonically sworn  
on October 30, 2023:

A handwritten signature in black ink, appearing to read "B. Paul Briones", written over a horizontal line.

B. PAUL BRIONES  
UNITED STATES MAGISTRATE JUDGE

**ATTACHMENT A**

**PERSON TO BE SEARCHED**

Bradley BEGAY was born on March 3, 1985. BEGAY has a Social Security number ending in 6628. He currently or did reside at 23A Road 6487, Kirtland, NM, and is currently in custody at the San Juan County Adult Detention Center. BEGAY is approximately 5 feet, 11 inches tall, weighing 165 pounds with black hair and brown eyes.

**ATTACHMENT B**  
PROPERTY TO BE SEIZED BY THE GOVERNMENT

The following material, which constitute evidence of the commission of a criminal offense, namely violations of 18 U.S.C. § 922(g)(1) and 924, that being Felon in Possession of a Firearm:

1. Affiant will use DNA buccal swabs to collect samples of DNA from Bradley BEGAY.